## MINUTES OF MEETING State Board of Education August 2, 2007

The meeting of the Board of Education was held telephonically on August 2, 2007. Board members Gene Vincent, Sister Jude Fitzpatrick, Charlie Edwards, Brian Gentry, Mary Jean Montgomery, Wayne Kobberdahl, and Max Phillips were present. Absent: Rosie Hussey and Kameron Dodge. Also present were staff members Gail Sullivan, Carol Greta, Kevin Fangman, Elaine Watkins-Miller and Beverlee Adams. Megan Hawkins, *Des Moines Register*, was also present.

President Gene Vincent called the meeting to order.

It was moved by Sister Jude Fitzpatrick and seconded by Mary Jean Montgomery to approve the agenda as written.

## **Public Comment**

There was no public comment.

## Appeal Decision – In re Grade Realignment

Carol Greta, Administrative Law Judge, reviewed the proposed appeal decision, *In re Grade Realignment*, 24 D.o.E. App. Dec. 284 (Mueggenberg v. Clay Central-Everly Community School District). Greta said that the procedure used by local boards of school districts in grade realignment decisions are governed by 281—lowa Administrative Code (IAC) 19.3. Those procedural steps demand only that the public, especially families of affected students, are given notice of proposed realignments and opportunity for input to the board.

Carol Greta explained that the local board made no attempt to reach out to the public. No information was sent home with students, no information was posted specific to moving grades 3 – 5 from the school in Everly to the school in Royal, and no informational meetings were organized by the school district. It was not enough that the District posted a tentative agenda of the March and April regular board

meetings on which this issue was obliquely referenced, nor is it sufficient that the superintendent agreed to cooperate with the parent-organized informational meeting.

Administrative Law Judge Greta stated the local board had failed to meet its obligations to separately post specific information about the grade realignment in both attendance centers and to affirmatively promote open and frank public discussion of the facts and issues involved.

In the event of an appeal of a final decision, Greta said the State Board is represented in district court by the Iowa Attorney General's Office.

Carol Greta recommended that the decision of the Board of Directors of the Clay Central Community School District made on April 16, 2007, to relocate grades 3 – 5 from Everly to Royal be reversed.

Following a discussion of IAC rule 19.3 and the notification to parents and the public regarding relocation of grades to a different location, the following motion was taken:

**Motion:** It was moved by Charlie Edwards and seconded by Max Phillips to approve the reversal of the decision of the local school board made on April 16, 2007 to relocate grades 3-5 from one attendance center to another *In re Grade Realignment*, 24 D.o.E. App. Dec. 284, Mueggenberg v. Clay Central-Everly Community School District.

**Vote:** A roll call vote was taken. Aye: Edwards, Fitzpatrick, Gentry, Kobberdahl, Phillips, and Vincent. Abstain: Montgomery. The motion carried.

President Vincent adjourned the meeting.	
Gene E. Vincent President	Judy A. Jeffrey, Director and Executive Officer